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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/730,286	12/09/2003	Sung Gi Hwang	K-0590	2595
34610	7590	06/01/2005	EXAMINER	
FLESHNER & KIM, LLP P.O. BOX 221200 CHANTILLY, VA 20153			GRAVINI, STEPHEN MICHAEL	
			ART UNIT	PAPER NUMBER
			3749	

DATE MAILED: 06/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/730,286

Applicant(s)

HWANG, SUNG GI

Examiner

Stephen Gravini

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 April 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) 20-31 are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Election/Restrictions

Restriction to one of the following inventions is required under 35 U.S.C. 121:

- I. Claims 1-20, drawn to a subcombination, classified in class 34, subclass 603.
- II. Claims 21-31, drawn to a combination, classified in class 34, subclass 242.

The inventions are distinct, each from the other because of the following reasons:

Inventions of group I and group II are related as combination and subcombination. Inventions in this relationship are distinct if it can be shown that (1) the combination as claimed does not require the particulars of the subcombination as claimed for patentability, and (2) that the subcombination has utility by itself or in other combinations (MPEP § 806.05(c)). In the instant case, the combination as claimed does not require the particulars of the subcombination as claimed because the group I subcombination invention independently claims a drying chamber for holding an object to be dried while the group II combination invention merely recites a drum within a cabinet without a drying limitation in the body of the claim. The subcombination has separate utility such as drying while the combination can be used for washing, storing, or any other non-drying feature.

Newly submitted claims 20-31 are directed to an invention that is independent or distinct from the invention originally claimed for the reasons discussed above.

Since applicant has received an action on the merits for the originally presented invention, this invention has been constructively elected by original presentation for prosecution on the merits. Accordingly, claims 20-31 are withdrawn from consideration as being directed to a non-elected invention. See 37 CFR 1.142(b) and MPEP § 821.03.

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim Rejections - 35 USC § 102

Claims 1-5 are rejected under 35 U.S.C. 102(b) as being anticipated by any one of Torborg et al. (US 5,548,908) at column 4 lines 27-37 and figures 3 & 4, Kadakia (US 5,363,569) at column 3 lines 14-33 and figure 2, and Pearce et al. (US 5,257,448) at column 4 lines 46-58 and figures 5. Torborg, Kadakia, or Pearce

Claim Rejections - 35 USC § 103

Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Torborg, Kadakia, or Pearce in view of Thompson (US 2,679,112). Torborg, Kadakia, or Pearce is considered to anticipate the claimed invention, except for the claimed right angle parallel coupling front support flange. Thompson, another drying apparatus, is considered to disclose a right angle parallel coupling front support flange at column 5 line 70 through column 6 line 6. It would have been obvious to one skilled in the art to combine the teachings of Torborg, Kadakia, or Pearce with the right angle parallel coupling front support flange, considered disclosed in Thompson for the purpose of securely fastening the front of a drying apparatus to a cabinet.

Claims 7-8 and 18-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Torborg, Kadakia, or Pearce in view of Smith (US 3,816,942). Torborg, Kadakia, or Pearce is considered to anticipate the claimed invention, except for the claimed bead arranged in rows and four corner flanges supporting positions. Smith, another drying apparatus, is considered to disclose a bead arranged in rows and four corner flanges supporting positions at column 3 lines 40-65 and column 3 line 55 through column 4 line 14, respectively. It would have been obvious to one skilled in the art to combine the teachings of Torborg, Kadakia, or Pearce with bead arranged in rows and four corner flanges supporting positions, considered disclosed in Smith for the purpose of securely fastening the front of a drying apparatus to a cabinet.

Claims 9-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Torborg, Kadakia, or Pearce in view of Nikolai (US 3,784,273). Torborg, Kadakia, or Pearce is considered to clearly anticipate the claimed invention, except for the claimed t-shaped protrusions with corresponding hanging holes. Nikolai, another cabinet fixing flange, is considered to disclose a t-shaped protrusions with corresponding hanging holes at column 3 line 64 through column 4 line 17. It would have been obvious to one skilled in the art to combine the teachings of Torborg, Kadakia, or Pearce with t-shaped protrusions with corresponding hanging holes, considered disclosed in Nikolai for the purpose of securely fastening the front of a drying apparatus to a cabinet along with a more sturdy support structure.

Claims 11-12 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Torborg, Kadakia, or Pearce in view of Toma (US 4,817,298). Torborg, Kadakia,

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or Pearce is considered to clearly anticipate the claimed invention, except for the claimed fixing member and adjacent fixing holes including at least two pins. Toma, another drying apparatus, is considered to disclose a fixing member and adjacent fixing holes including at least two pins at column 4 lines 35-51. It would have been obvious to one skilled in the art to combine the teachings of Torborg, Kadakia, or Pearce with the fixing member and adjacent fixing holes including at least two pins, considered disclosed in Toma for the purpose of securely fastening the front of a drying apparatus to a cabinet along with a more sturdy support structure.

Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Torborg, Kadakia, or Pearce in view of Robertson et al. (US 6,244,679). Torborg, Kadakia, or Pearce is considered to clearly anticipate the claimed invention, except for the claimed welding protrusions. Robertson, another cabinet apparatus, is considered to disclose welding protrusions at column 3 lines 18-44. It would have been obvious to one skilled in the art to combine the teachings of Torborg, Kadakia, or Pearce with the welding protrusions, considered disclosed in Robertson for the purpose of securely fastening the front of a drying apparatus to a cabinet along with a more sturdy support structure.

Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Torborg, Kadakia, or Pearce in view of Toma in further view of Robertson et al. Torborg, Kadakia, or Pearce in view of Toma is considered to obviate the claimed invention, as discussed above, except for the claimed welding protrusions. Robertson, another cabinet apparatus, is considered to disclose welding protrusions at column 3 lines 18-44. It would have been obvious to one skilled in the art to combine the teachings of Torborg,

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Kadakia, or Pearce in view of Toma with the welding protrusions, considered disclosed in Robertson for the purpose of securely fastening the front of a drying apparatus to a cabinet along with a more sturdy support structure.

Claims 16-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Torborg, Kadakia, or Pearce in view of St Louis (US 4,586,269). Torborg, Kadakia, or Pearce is considered to clearly anticipate the claimed invention, except for the claimed plurality of mounting positions symmetrically arranged. St Louis, another drying apparatus, is considered to disclose a plurality of mounting positions symmetrically arranged at column 3 lines 35-58. It would have been obvious to one skilled in the art to combine the teachings of Torborg, Kadakia, or Pearce with the plurality of mounting positions symmetrically arranged, considered disclosed in St Louis for the purpose of securely fastening the front of a drying apparatus to a cabinet along with a more sturdy support structure.

Response to Arguments

Applicant's arguments with respect to claims 1-19 have been considered but are moot in view of the new grounds of rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

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A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephen Gravini whose telephone number is 571 272 4875. The examiner can normally be reached on normal weekday business hours (east coast time).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Monica S. Carter can be reached on 571 272 4475. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

SMG
May 26, 2005

